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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicant(s) : Horn et al.
Serial No. : 10/766,457
Filed : January 28, 2004
Title : FLUORIMETRIC DETERMINATION OF ANALYTES BY
AN INTRAMOLECULAR QUENCHER-FLUOROPHORE CONJUGATE
Docket : RDID 03021US (WP21395)
Art Unit : TBD

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the
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VA 22313-1450 on August 4, 2004.

Brian L. Smiler

Reg. No. 46,458

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§1.56, 1.97 & 1.98

Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 CFR §1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 CFR §1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 CFR §1.97(h), constitute an admission that any patent, publication, or other information referred to is, or is considered to be, material to the patentability of this invention. No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§102 & 103, and Applicants reserve the right, pursuant to 37 CFR §1.131 or otherwise, to establish otherwise. Further, pursuant to 37 CFR §1.97(g), the filing of this Statement should not be construed as a statement that a search has been made or that no other material information exists.

Serial No. 10/766,457
Docket No. 03021US (WP21395)

This Information Disclosure Statement is being filed within the period set forth in 37 CFR §1.97(b) because it is believed to be filed before the mailing date of a first office action on the merits.

The Office has waived the requirement pursuant to 37 CFR §1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC §371 after June 30, 2003. Therefore, no copies of each cited U.S. patent and each cited U.S. patent application publication are enclosed, but the cited U.S. patents and the cited U.S. patent application publications are listed on PTO/SB/08A&B. Also enclosed is a copy of the European Search Report dated June 22, 2004.

No additional fees are believed to be necessary, however, should any fees be deemed required, the Commissioner is authorized to charge such fees to Deposit Account 02-2958, but is not to include any payment of issue fees.

Respectfully submitted,
ROCHE DIAGNOSTICS OPERATIONS, INC.

By 
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BLS/
Encls.



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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known	
Application Number	10/766,457
Filing Date	January 28, 2004
First Named Inventor	Horn et al.
Group Art Unit	TBD
Examiner Name	TBD
Attorney Docket Number	RDID 03021 US (WP21395)

Sheet | 1 | of | 2

Attorney Docket Number RDID 03021 US (WP21395)

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code ³ -Number ⁴ -Kind Code ⁵ (If known)				
		JP 63277680	11/15/88	Atsushi		
		EP 0 431 456 B1	11/28/90	Honet et al.		
		EP 0 574 769 B1	4/17/96	Blatt et al.		
		EP 0 620 283 A1	3/13/94	Hoenes		
		EP 0 190 740 B1	8/13/86	Mura et al.		
		WO 93/06487	4/1/93	Wilsey et al.		
		EP 0 831 327 B1	9/24/97	Heindl et al.		
		EP 0 441 222 A3	8/14/91	Hones et al.		
		WO 91/09139	6/27/91	Gerber et al.		

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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WEMMH/SB/08B (4/03)

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Substitute for form 1449B/PTO				<i>Complete if Known</i>	
				Application Number	10/766,457
				Filing Date	January 28, 2004
				First Named Inventor	Horn et al.
				Group Art Unit	TBD
				Examiner Name	TBD
Sheet	2	of	2	Attorney Docket Number	RDID 03021 US (WP 21395)

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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